IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.16576 of 2006

Dated: August 14, 2006

Between:

Sri Vani Telugu Pandit Training College, Peddapalli,
rep. by its correspondent V. Satyanarayana, S/o.Brahmaiah,
Hindu, aged 55 years, R/o. Peddapalli, Karimnagar District.

… Petitioner

And

National Council for Teacher Education, rep. by
Regional Director, Southern Regional Committee
(SRC), 1st Floor, C.S.D. Building, H.M.T. Post,
Bangalore – 560 031, Karnataka State, and others.

… Respondents

Order:

This writ petition has been filed seeking Mandamus to declare the impugned order dated 28-07-2006, issued by the first respondent, refusing to grant permission to the petitioner-institution for intake of 100 seats in Telugu Pandit Training, as illegal and arbitrary, and for a consequential direction to the respondents to issue such permission/recognition.

2. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing on behalf of the respondents.

3. The petitioner, a Telugu Pandit Training College, had approached the first respondent, the National Council for Teacher Education, for grant of recognition. However, the same was rejected, giving the following reasons:

a) Staff list duly approved by the Director, SCERT is not submitted.

b) Permission of the government for shifting the location of the college is not obtained.

4. As regards the first reason, though the approval of the staff list by the Director, SCERT, was necessary earlier, in view of the amended regulations that came into force with effect from 13-01-2006, now such approval is not necessary and the same is within the purview of the National Council for Teacher Education itself. What all that is required is that the college has to open a website with regard to the staff list; thereon, it is for the respondent-authorities to approve such list. It is stated that the staff list was put on the website on 18-07-2006. So far as the second reason is concerned, it is to be noted that the petitioner wants to establish a new college for Telugu Pandit Training. As much as permission for starting such course is not granted at any point of time earlier, the question of permission of the government for shifting the location of the college does not arise at all. The reasons for rejection appear to have been given mechanically without application of mind and are untenable. What is required to be examined by the respondents is whether the college has got sufficient accommodation for starting the course and whether it is in accordance with the conditions laid down by the NCTE. But, the first respondent has merely rejected the request of the petitioner without any valid reasons.

Hence, the impugned order is set aside.

5. The writ petition is disposed of permitting the petitioner to make a fresh representation to the respondents within two weeks from today indicating the proposed location of the college where it wants to start Telugu Pandit Training course. On such representation being made, the respondents are directed to make necessary inspection with regard to proposed location of the college and pass appropriate orders within a period of two months thereafter. There shall be no order as to costs.

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JUSTICE R. SUBHASH REDDY.

August 14, 2006
MRR